

Application Serial No. 09/943,658
Docket No. 40655.4400
Response/Amendment dated August 30, 2004
Reply to Office Action mailed on August 9, 2004

REMARKS

The Examiner has asserted a Restriction Requirement under 35 U.S.C. § 121 requiring restriction of the application as follows:

Group I: Claims 1-13 drawn to electronic shopping;

Group II: Claims 14-17 drawn to network security;

Group III: Claims 18-26 and 28-31 drawn to secure transactions; and,

Group IV: Claims 27 and 32-34 drawn to smart cards.

Applicants respectfully submit that examination of all currently pending claims would not pose an undue burden on the Examiner. Section 803 of The Manual of Patent Examining Procedure states that "[i]f the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions." Applicants therefore respectfully request examination of all currently pending claims.

Applicant hereby elects Group III, consisting of Claims 18-26 and 28-31, for prosecution in this application. Applicant has selected Group III in order to expedite prosecution of this application. Applicant does not acquiesce to the Examiner's foundation for the Restriction Requirement as set forth in the Office Action. Accordingly, the foregoing election is made without waiver, estoppel or without prejudice to the filing of one or more related applications directed to the subject matter of the canceled claims.

The foregoing amendment conforms this application to the Examiner's Restriction Requirement dated August 9, 2004. Applicant also amends claim 18 to simply clarify the

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invention; however, the amendment is unrelated to patentability. Applicants submit that the application is now in condition for examination on the merits. Early notification of such action is earnestly solicited. Should the Examiner have any suggestions to place the application in even better condition for allowance, Applicants request that the Examiner contact the undersigned representative at the telephone number listed below. No new matter is added in this Response. Reconsideration of the application is thus requested.

Respectfully submitted,

Dated: August 30, 2004

By: 

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